



REGULAR MEETING OF THE GREENBELT CITY COUNCIL
Held Monday, February 9, 2004

Mayor Davis called the meeting to order at 8:05 p.m.

ROLL CALL was answered by Councilmembers Konrad E. Herling, Leta M. Mach,

Rodney M. Roberts, and Mayor Judith F. Davis. Councilmember Edward V. J. Putens was out of town.

ALSO PRESENT were Michael P. McLaughlin, City Manager; John F. Shay, Jr., City Solicitor; David E. Moran, Assistant to the City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of residents PJ Siegel, Mollie ("Ann") Reigner, and Wesley A. Sweat, as well as Carroll Byerly Holcomb, who attended Greenbelt High School with the Greenbelt pioneers. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mr. Roberts asked to remove item #22 (Appointments to Advisory Groups) from the consent agenda. It was moved by Mr. Herling and seconded by Ms. Mach that the consent agenda be approved as amended. The motion carried 4-0.

Council thereby took the following actions:

MINUTES

- Work Session, January 7, 2004
- Interview Meeting, January 12, 2004
- Regular Meeting, January 12, 2004
- Work Session, January 14, 2004
- Interview Meeting, January 21, 2004
- Interview Meeting, January 28, 2004
- Interview Meeting, February 4, 2004

Approved as presented.

COMMITTEE REPORTS

Park & Recreation Advisory Board, Report #04-2 (Lights at McDonald Field): Council accepted this report and agreed to consider it on the agenda of the next meeting.

Public Safety Advisory Committee Report #03-01 (Public Forum Outreach): Council accepted this report, referred it to staff for review, and agreed to consider it further during the budget process.

Recycling & Environment Advisory Committee, 1/12/2004 Communication (Lake Watershed Assessment): Council received this report and agreed to consider it with this topic on a future agenda.

Youth Advisory Committee, 1/21/2004 Communication (Forest Preserve Task Force Appointment): Council received this report and agreed to consider it as part of future discussions of appointments to the task force.

Youth Advisory Committee, Report #04-01 (Skateboard Park): Council accepted this report, which was considered at the February 4, 2004, work session.

COUNTY BILL TO ALLOW SWIMMING POOLS IN COMMERCIAL OFFICE ZONE: Council agreed to support the proposed legislation and communicate that support to Councilmember Peters.

GRANT APPLICATION TO MARYLAND HISTORICAL TRUST: Council approved the submission of the proposal to the Maryland Historical Trust and authorized the sending of a letter signed by the Mayor stating the City's willing to update the existing easement on the Community Center to reflect the work to be undertaken on this project if the grant is obtained.

ADOPTION OF BOARD OF APPEALS RESOLUTION ON VARIANCE APPLICATION #03-003-V: Council adopted the Board of Appeals Resolution for Variance Application 03-003-V.

ADOPTION OF BOARD OF APPEALS RESOLUTION ON VARIANCE APPLICATION #03-005-V: Council adopted the Board of Appeals Resolution for Variance Application 03-005-V.

RESIGNATIONS FROM ADVISORY GROUPS: Council accepted with regret the resignations of Mark Gitlis (Arts Advisory Board), Zohar Gitlis (Youth Advisory Committee), Elizabeth Wellborn (Arts Advisory Board), and Lakhdar Boukerrou (Recycling & Environment Advisory Committee).

REAPPOINTMENTS TO ADVISORY GROUPS: Council reappointed the following people to additional terms on their advisory groups: Mary X. Chapman, Mary Crellin, and Susan Gregersen, Recycling & Environment Advisory Committee; Leah Warner, Senior Citizens Advisory Committee; Jacqueline Carrington, Community Relations Advisory Board; and Lester Whitmer, Board of Appeals.

APPROVAL OF AGENDA: It was moved by Ms. Mach and seconded by Mr. Roberts that the agenda be approved as presented. The motion carried 4-0.

PRESENTATIONS: Jay Remenick, President of the Greenbelt Fire Department and Rescue Squad, introduced newly elected Fire Chief Brian Rudy, who described for Council his goals for the department. Using a slide show and video presentation, Mr. Remenick then updated Council on the progress of the restoration of the original fire engine and the fundraising for that project. He announced that there would be a fundraising event held the night of May 14. Mayor Davis suggested approaching the company that manufactured the truck for support. Mr. Herling suggested asking GATE for assistance with the video presentation. Ms. Mach suggested preparing a booklet or other written product about the history of the fire engine that might be sold at the museum.

PETITIONS AND REQUESTS: There were none.

MINUTES OF MEETINGS

Executive Session, January 28, 2004: Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, January 28, 2004, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:15 p.m. in Suite 200 of the Community Center. Council held this closed meeting in accordance with Section 10-508 (a)(1) of the State Government Article of the Annotated Code of Public General Laws of Maryland to discuss a recommendation from the Employee Relations Board regarding a grievance filed by a City employee. Mr. Herling seconded the motion.

ROLL CALL:

Mr. Herling - yes

Ms. Mach - yes

Mr. Roberts - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. McLaughlin presented the first issue of the GAIL Guide, a new publication of the Greenbelt Assistance in Living Program, and noted that it contained an article on the new "Ask the Experts" cable show. He informed Council that the outline of the proposed area for the skateboard park was now on the ground at the site. He announced that the reimbursement of Program Open Space funding for the City's purchase of the Sunrise property has been scheduled before the state Board of Public Works on February 25, and he suggested that Council representation at that hearing would be desirable. Mr. Roberts said he could be there. Mr. McLaughlin also noted that he had been in touch with the City's state delegation and that Senator Pinsky had indicated his readiness to write in support of the request.

Mayor Davis reported that she and other members of Council had attended the State Highway Administration hearing on the Beltway access ramps to Greenbelt Station and

that she had testified to the City's support for the "no build" option. She said all but one Councilmember had been able to attend the Prince George's County Municipal Association's legislative reception in Annapolis on February 2. All members of Council attended a celebration at Mishkan Torah on February 7 of the naturalization of Rabbi Jonathan Cohen and Dr. Mona Baumgarten. The celebration in honor of Tom White, who recently retired after 30 years as a City Councilmember, was well attended on February 8 at Martin's Crosswinds. Mayor Davis said she spoke about the job of a Mayor, as a prelude to the Maryland Municipal League contest, at Springhill Lake Elementary School on February 9 and would also be speaking on February 10 at Greenbelt Elementary School. She also noted she had distributed materials to Council regarding federal and state program cuts.

LEGISLATION

A Resolution to Repeal and Reenact with Amendments Resolution Number 910 to Adopt Revised Standing Rules for the Council of the City of Greenbelt, Maryland

Mayor Davis read the agenda comments. Ms. Mach introduced the resolution for first reading.

ROOSEVELT CENTER MERCHANTS' REVOLVING LOAN FUND – BRIEFING: The Mayor read the agenda comments. In response to a question from Ms. Mach, Kristen Ward, Community Planner, clarified that all the tenants of Roosevelt Center are eligible to apply for loans under the program, including the Greenbelt Federal Credit Union, which is administering the loans. Mr. McLaughlin commented that the City was very pleased that the credit union was able to administer the program. Mr. Herling noted that the program might serve to promote interest in the Roosevelt Center Merchants Association as well.

PLAN FOR OFF-SITE MITIGATION AREA FOR HILTON GARDEN INN: Mayor Davis read the agenda comments. Ms. Ward confirmed that the Hunting Ridge Association was supportive of the plan. Mayor Davis suggested that the Advisory Committee on Trees be asked to review the tree plan when it was developed. After brief discussion, Mr. Roberts moved that Council approve sending a letter of support to the county for the proposed mitigation area. Mr. Herling seconded the motion, which passed 4-0.

REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT MONIES (PROGRAM YEAR 29): The Mayor read the agenda comments. In response to a question from Mr. Roberts regarding how well the last repaving of this segment of Cherrywood Lane had held up, Mr. McLaughlin described the increase in buses and 18-wheeler trucks using this road over the time period. He added that the problems were also likely a function of the slope of the road, and he suggested that the sub-surface might need to be built up. Mr. Herling asked what would happen if, as suggested in the agenda comments, the \$150,000 would not cover the work. Mr. Moran responded that a number of different scenarios for the work could take place, depending on how much money was available.

Keith Chernikoff, 210 Lastner Lane, commented that the privately owned roadway off Cherrywood toward the CVS Drug Store was in bad condition and might be contributing to the problem. Mayor Davis responded that there might need to be some cooperation with the owners in working on that.

It was moved by Mr. Herling and seconded by Ms. Mach that Council approve submission by staff to the county of a request to use the City's Community Development Block Grant funds for PY 29 to reconstruct Cherrywood Lane from Greenbelt Road to Breezewood Drive, in lieu of the originally intended use for the Springhill Lake Recreation Center. The motion passed 4-0.

PENDING STATE LEGISLATION: The Mayor read the agenda comments, and Council reviewed the following legislation:

Senate Bill 12/House Bill 23 – Electric and Gas Aggregation by Counties and Municipalities: It was moved by Mr. Roberts and seconded by Ms. Mach that Council support Senate Bill 12 and House Bill 23 and communicate that support to the City's state delegation. The motion passed 4-0.

Senate Bill 28/House Bill 60 – Penalty for Assaulting a Police Officer: Mr. Moran commented that the Maryland Chiefs' Association supports this bill, as does the City's Police Department. It was moved by Mr. Herling and seconded by Mr. Roberts that Council support Senate Bill 28 and House Bill 60 and communicate that support to the City's state delegation. The motion passed 4-0.

House Bill 243 – Admissions and Amusement Tax on Restaurant Sales: Mayor Davis commented that the bill would add, at most, 1% to the amount of a restaurant sale. She said it was intended primarily to compensate for lost revenues. In response to a query from Mr. Herling, Mr. Moran said not only did the City not know how much this tax would generate, but the legislation is merely enabling. If the City wished to implement it, it would still have to enact its own legislation. Mr. Roberts asked why the legislation limited the tax to sales at location with facilities for "on premises" eating and drinking. He asked if more information could be acquired prior to a Council decision on whether to support it. Mr. Chernikoff questioned the notion of calling this an "admissions and amusement tax" at all; he said it was a sales tax on food and beverages. Council agreed to wait to consider the question until staff could get clarification on the intent of the bill.

House Bill 173 – Homicide by Aggressive Driving: It was moved by Mr. Roberts and seconded by Ms. Mach that Council support House Bill 173 and communicate that support to the City's state delegation. The motion passed 4-0.

Public-Private Education Facilities & Infrastructure Act: Mr. Moran said Delegate Ross had explained that this bill, when drafted would only be enabling, and his idea was that the school systems could evaluate whether it would work for them or not. Mr. Moran added that the proposal is full of technicalities that would be impossible for staff to evaluate, and he suggested that the opinion of the Prince George's County Board of Education would be pivotal. It was moved by Mr. Roberts and seconded by Ms. Mach that Council convey its support for the general concept of this legislation to Delegate Justin Ross and refer the bill to the Advisory Committee on Education for further review. The motion carried 4-0.

APPOINTMENTS TO ADVISORY GROUPS: Mr. Roberts made a motion that Council appoint Robert Boyce and Stephanie Holland to the Youth Advisory Committee and

Pamela Hagerhorst and Jeri Holloway to the Arts Advisory Board. The motion was seconded by Mr. Herling and passed 4-0.

MEETINGS: Council reviewed the meeting schedule. Mayor Davis moved that the second meeting in March be moved from March 22 to March 29. Ms. Mach seconded the motion, which passed 4-0. Mayor Davis asked that the GHI stakeholder meeting be postponed from March 17 until after the budget work session period since the Greenbelt East Advisory Committee could not meet until after the budget work session period. She added that it would make more sense for Council to meet with both groups after the playground report work session was scheduled. She suggested using the March 17 date for the playground report work session.

ADJOURNMENT: A motion to adjourn was made by Ms. Mach and seconded by Mr. Herling. The motion carried 4-0. The Mayor adjourned the regular meeting of February 9, 2004, at 9:44 p.m.

Respectfully submitted,

Kathleen Gallagher
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held February 9, 2004.

Judith F. Davis
Mayor